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FILED

SEP 20 2013

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

In the Matter of the Petition by the Division of
Oil, Gas and Mining for an Order:

- (1) Withdrawing Southwest Stone's Notice
of Intention to Commence Small
Mining Operations at the Dove Creek
Pass Project, S/003/0052, located in
Sections 21, 22, and 27, T13N, R16W,
SLB&M, Box Elder County, Utah;
- (2) Forfeiting Southwest Stone's
reclamation surety for the Dove Creek
Pass Project;
- (3) Authorizing the Division to complete
reclamation at the Dove Creek Pass
Project; and
- (4) Authorizing the Division to take all
other actions necessary to recover
unpaid assessments and penalties,
unpaid surety, and all other costs
associated with reclamation of said land
from Southwest Stone.

**NOTICE OF COMPLIANCE
WITH STIPULATION TO JUDGMENT
AND
MOTION TO DISMISS WITH
PREJUDICE**

Docket No.: 2013-021
Cause No.: S/003/0052

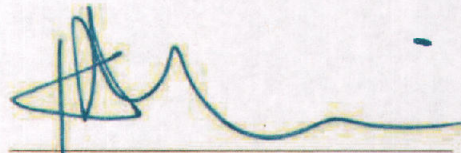
The Utah Division of Oil, Gas and Mining (Division), by and through its undersigned
counsel, informs the Utah Board of Oil, Gas and Mining (Board) of Southwest Stone, LLC's
(Southwest Stone) successful compliance with the Stipulation to Judgment entered on August 27,
2013. Pursuant to paragraph 4, Division Inspector Lynn Kunzler and Division Minerals Program

Manager Paul Baker inspected the site on September 18, 2013 and determined that, with exception to seeding and revegetation, reclamation had been completed according to the Division's satisfaction, according to the requirements set forth in Utah Admin. Code R647-3-109, and according to Southwest Stone's Small Mine Reclamation Contract dated May 11, 2007. On or about September 20, 2013, pursuant to paragraph 5 of the Stipulation to Judgment, Southwest Stone paid to the Division \$1,320.00 in settlement of the outstanding assessments and penalties.

Southwest Stone may request from the Division a release of its surety bond by filing notice of such request with the Division. Release of the surety will be subject to the standard procedure of withholding an amount for revegetation at the mine site.

THEREFORE, pursuant to paragraph 6 of the Stipulation to Judgment, the Division hereby respectfully requests that the Board dismiss this matter with prejudice.

Respectfully submitted this 20 day of September 2013.

A handwritten signature in blue ink, appearing to read 'Cassidy J. Wallin', is written over a horizontal line.

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Assistant Attorney General
Attorney for Utah Division of Oil,
Gas and Mining
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CERTIFICATE OF SERVICE

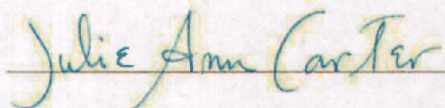
I hereby certify that on this 20th day of September 2013, I caused a true and correct copy of the foregoing NOTICE OF COMPLIANCE WITH STIPULATION TO JUDGMENT AND MOTION TO DISMISS WITH PREJUDICE to be served by first class mail and/or electronic mail on each of the following parties:

SOUTHWEST STONE, L.L.C.
C/O JEFFREY L. SAGERS
2421 W. 350 N.
HURRICANE, UTAH 84737
jeff@southweststone.net

ZION'S FIRST NATIONAL BANK
ATTN: RAELYNN DANIELS
ONE SOUTH MAIN ST
SALT LAKE CITY, UTAH 84133

OFFICE OF STATE TREASURER
ATTN: COLEEN HACKWELL
E315 STATE CAPITOL COMPLEX
P.O. BOX 142315
SALT LAKE CITY, UTAH 84114-2315

MIKE JOHNSON
ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF NATURAL RESOURCES
COUNSEL FOR BOARD OF OIL, GAS & MINING
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**BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

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unpaid assessments and penalties,
unpaid surety, and all other costs
associated with reclamation of said land
from Southwest Stone.

**ORDER GRANTING MOTION TO
DISMISS WITH PREJUDICE**

Docket No.: 2013-021
Cause No.: S/003/0052

Having reviewed the Notice of Compliance with Stipulation to Judgment and Motion to Dismiss with Prejudice in the above-captioned Matter, the Utah Board of Oil, Gas, and Mining, hereby orders that this matter be dismissed with prejudice. Southwest Stone may request release of its surety, subject to the Division withholding an amount for revegetation at the mine site.

DATED this _____ day of September, 2013.

Ruland J. Gill, Jr.
Chairman
Utah Board of Oil, Gas and Mining